

### **REMARKS**

In the March 28, 2007 Office Action, claims 1-4, 10, 14-18, 20-22 and 24 stand rejected in view of prior art, while claims 7-9, 11-13 and 19 were indicated as containing allowable subject matter. No other objections or rejections were made in the Office Action.

### ***Status of Claims***

None of the claims are being amended. Thus, claims 1-24 are pending, with claims 1 and 20 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of the following comments.

### ***Rejections - 35 U.S.C. § 102***

In paragraphs 2-15 of the Office Action, claims 1-4, 10, 14-18, 20-22 and 24 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,062,834 (Masumoto et al).

Independent claims 1 and 20 require an intake passage that opens in an outer face of the compression mechanism such that an opening part of the intake passage in the outer face of the compression mechanism faces a terminal end of the intake pipe.

This structure is *not* disclosed or suggested by Masumoto et al or any other prior art of record. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference.

Matsumoto et al discloses a scroll compressor with a suction pipe 15 and a discharge pipe 16. See column 4, line 59 to column 5, line 3. However, on page 2 of the Office Action, the Office Action calls the suction pipe 15 of Matsumoto et al a discharge pipe and the discharge pipe 16 of Matsumoto et al an intake pipe. The Office Action further refers to the discharge hole 4c of Figure 8 while referencing the intake pipe.

The claims of the present invention are directed toward a compressor with a sealing mechanism at an *intake* passage and an *intake* pipe. Referring to the suction pipe 15 of Figures 1, 2 and 7 of Matsumoto et al, it can be seen that Matsumoto et al does *not* disclose a sealing mechanism to connect the suction pipe 15 to an intake passage. The suction pipe 15 does *not* face an intake passage extending in a radial direction. Specifically, Matsumoto et al does *not* disclose an intake passage extending in a radial direction and opening in an outer

face of the compression mechanism such that an opening part of the intake passage in the outer face of the compression mechanism faces a terminal end of the intake pipe. Moreover, the discharge pipe 16 of Matsumoto et al is *not* an intake pipe. Therefore, withdrawal of this rejection is respectfully requested.

Moreover, Applicants believe that the dependent claims are also allowable over the prior art of record in that they depend from independent claim 1 or 20, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not anticipate independent claim 1 or 20, neither does the prior art anticipate the dependent claims.

Applicants respectfully request withdrawal of the rejections.

#### ***Rejections - 35 U.S.C. § 103***

In paragraphs 17-21 of the Office Action, claims 5 and, 6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Masumoto et al patent in view of U.S. Patent No. 4,055,199 (Herman) and claim 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Masumoto et al patent in view of U.S. Patent No. 5,544,896 (Draskovich).

Applicants believe that dependent claims 5, 6 and 23 are allowable over the prior art of record in that they depend from independent claim 1 or 20, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not disclose or suggest the invention as set forth in independent claim 1, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

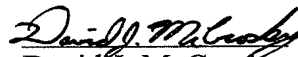
Therefore, Applicants respectfully request that this rejection be withdrawn in view of the above comments.

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***Conclusion***

In view of the foregoing comments, Applicants respectfully assert that claims 1-24 are in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

  
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